

Panaji, 7th October, 2021 (Asvina 15, 1943)

SERIES I No. 28

OFFICIAL GAZETTE

GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

NOTE

There are four Extraordinary issues to the Official Gazette, Series I No. 27 dated 30-9-2021, namely:—

(1) Extraordinary dated 30-9-2021 from pages 1531 to 1546, Department of Finance (R&C), Notifications regarding framing of Lottery Scheme and GST.

(2) Extraordinary (No. 2) dated 1-10-2021 from pages 1547 to 1550, Department of Home, Notification No. 21/2 2013-HD(G)/3495 regarding amendment of Notification dated 9-10-1995.

(3) Extraordinary (No. 3) dated 1-10-2021 from pages 1551 to 1552, Department of Finance, Notification No. 5-2-2021-Fin(DMU) regarding Market Borrowing Programme.

(4) Extraordinary (No. 4) dated 6-10-2021 from pages 1553 to 1558, Department of Finance (R&C), Notifications regarding GST.

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GOVERNMENT OF GOA

Department of Environment &
Climate Change

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Addendum

5/20/87-STE/DIR/Part VII/640

Read:- 1) Notification No. 5/20/87-STE/
/DIR/Part VII/591 dated 09th
September, 2020 published in
Official Gazette, Series I No. 25
dated 17-09-2020.

2) Notification No. 5/20/87-STE/DIR/
Part VII/1138 dated 07th January,
2021 published in Official
Gazette, Series II No. 42 dated
14-01-2021.

3) Corrigendum & Addendum No. 5/
/20/87-STE/DIR/Part VII/1437
dated 04th March, 2021 published
in Official Gazette, Series I No. 50
dated 11-03-2021.

4) Addendum No. 5/20/87-
-STE/DIR/Part VII/577 dated
16-09-2021 published in Official
Gazette, Series I No. 26 dated
23-09-2021.

In exercise of the powers conferred by sub-
section 3(A) of section 12 of the Water
(Prevention and Control of Pollution) Act, 1974
(Central Act 6 of 1974) and in supersession of

Addendum read above at (4), the Goa State
Pollution Control Board (GSPCB), with the
approval of the Government of Goa; hereby
makes the following amendment rules so as
to regulate the recruitment to various
technical and non technical posts in the Goa
State Pollution Control Board, namely:—

1. *Short title, application and commence-
ment.*— (i) These rules may be called the Goa
State Pollution Control Board, Group 'A', 'B',
'C' and 'D' posts, Recruitment (Second)
(Amendment) Rules, 2021 (hereinafter
referred to as 'these rules').

(iii) they shall come into force from the date
of their publication in the Official Gazette.

2. *Amendment to Schedule to the Goa State
Pollution Control Board, Group 'A', 'B', 'C' and
'D' posts, Recruitment Rules, 2020.*— (1)
Addition of 03 posts of Drivers (HMTV)
cum Operator for CAAQMS and new
Sr. No. 34(a) namely:—

After Serial No. 34 and before Sr. No. 35,
new Serial No. 34(a) has been inserted and
added to the existing Schedule to the Goa
State Pollution Control Board, Recruitment
Rules, 2020 as annexed hereto.—

By order and in the name of the
Governor of Goa.

Dasharath Redkar, Director/ex officio Joint
Secretary (Environment & Climate Change).

Panaji, 30th September, 2021.

SCHEDULE

(Please See Rule No. 3 and 4)

Serial No.	Name/ designa- tion of post	Number of posts	Classifi- cation	Scale of Pay	Whether selection post or non- selection post	Age limit for direct recruits	Educational and other qualifica- tion required for recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion/ or by deputation/ /absorption, transfer/contract and percentage or the vacancies to be filled by various methods	In case of recruit- ment by promotion/ /deputation/ /absorption, transfer, grades from which promotion/ /deputation/ /absorption, transfer is to be made	If a D.P.C. exists, what is its compo- sition
1	2	3	4	5	6	7	8	9	10	11	12	13

ADMINISTRATION SECTION

34(a).	Driver (HIMV) cum Operator depending for CAAQMS. load.	03 (three)	Group 'C'.	Rs. 5200- 20200 +2800.	Selec- tion.	Not exceeding 40 years (relaxable for Govern- ment servants/ working in Govt. Institu- tions/ recognised Govt. Undertak- ing/ Registered societies upto 5 years).	Essential: (1) Middle School or equivalent qualifications. (2) Driving Licence for heavy vehicle. (3) Unblemished experience of atleast three years in the line. (4) Knowledge of Konkani.	Age: No Qualifi- cation: To the extent indi- cated in column No. 12.	Two years.	By promotion failing which by direct recruitment.	Promotion of Light Vehicle Driver of the Board with atleast 5 years experience in the grade and possessing Heavy Vehicle Driving licence.	Group 'C', D.P.C.
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Desirable:

(1) Knowledge of
Marathi.

Department of Fisheries

Directorate of Fisheries

Order

DF/GB/GROUP/INSURANCE/
/2021-22/3285

Ref. Notification No. DF/GB/PMSBY/2018-9 published in the Official Gazette, Series I No. 15 dated 12-07-2018.

Sub.: "Pradhan Mantri Suraksha Bima Yojana" (PMSBY).

The approval of the Government of Goa is hereby conveyed to discontinue the scheme called "Pradhan Mantri Suraksha Bima Yojana" (PMSBY), notified vide Notification No. DF/GB/PMSBY/2018-9 dated 11th July, 2018 which is published on Official Gazette, Series I No. 15 dated 12th July, 2018 from financial year 2021-22.

This order is issued with the approval of the Government vide their U.O. No. 1400031077 dated 03-09-2021.

By order and in the name of Governor of Goa.

Dr. (Smt.) *Shamila Monteiro*, Director & ex officio Joint Secretary (Fisheries).

Panaji, 20th September, 2021.

Goa Legislature Secretariat

LA/LEGN/2021/827

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th July, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Waste Management
(Amendment) Bill, 2021

(Bill No. 29 of 2021)

A

BILL

to amend the Goa Waste Management Corporation Act, 2016.

BE it enacted by the Legislative Assembly of Goa in the seventy-second Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—
(1) This Act may be called the Goa Waste Management (Amendment) Act, 2021.

(2) It shall come into force at once.

2. *Amendment of section 1.*— In section 1 of the Goa Waste Management Corporation Act, 2016 (Goa Act 19 of 2016), (hereinafter referred to as the "principal Act"), for the expression "The Goa Waste Management Corporation Act, 2016", the expression "the Goa Waste Management Act, 2016" shall be substituted.

3. *Amendment of section 2.*— In section 2 of the principal Act, for clause (e), the following clause shall be substituted, namely:—

(e) "Corporation" means the Goa Waste Management Corporation established under section 3;".

Statement of Objects and Reasons

The Bill seeks to omit the word "Corporation" from the short title of the Goa Waste Management Corporation Act, 2016 (Goa Act 19 of 2016) and also rectify the definition of the term "Corporation", occurring in section 2(e) of the said Act.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated
Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa. MICHAEL LOBO
Dated: 16-07-2021. Minister for Science,
Technology
and Waste Management

Assembly Hall, NAMRATA ULMAN
Porvorim-Goa. Secretary to the Legislative
Dated: 16-07-2021. Assembly of Goa.

ANNEXURE

Extract of section 1 (1) and section 2(e) of the
Goa Waste Management Corporation Act, 2016

1. *Short title, extent and commencement.*— (1) This Act may be called “The Goa Waste Management Corporation Bill, 2016”.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(e) “Corporation” means the Goa Waste Management Corporation established under section 3 of the companies Act.

Porvorim-Goa. MICHAEL LOBO
Dated: 16-07-2021. Minister for Science,
Technology
and Waste Management.

Assembly Hall, NAMRATA ULMAN
Porvorim-Goa. Secretary to the Legislative
Dated: 16-07-2021. Assembly of Goa.

LA/LEGN/2021/855

The following bill which was introduced in the Legislative Assembly of the State of Goa on 29th July, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA CO-OPERATIVE SOCIETIES
(AMENDMENT) BILL, 2021

(Bill No. 45 of 2021)

A

BILL

further to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2021.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the “principal Act”),—

(i) clause (1) shall be re-numbered as clause (1A) and before clause (1A) as so re-numbered, the following clause shall be inserted, namely:—

“(1) “Administrative Secretary” means Secretary Co-operation to the Government of Goa;”;

(ii) clause (38a) shall be re-numbered as clause (38b) and before clause (38b) as so re-numbered, the following clause shall be inserted, namely:—

“(38a) “Reconciliator” means a Reconciliator appointed by the Registrar under sub-section (1) of section 113A on the panel of Reconciliators;”.

3. *Amendment of section 4.*— In section 4 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) The Registrar may, with prior approval of the Government, appoint a person having experience in the field of

banking, management, finance, accounts, audit, human resource or specialization in any other field relating to the objects and activities undertaken by the Co-operative societies, to assist him in deciding the matters, on such terms and conditions as may be decided by the Government."

4. *Insertion of new section 20B.*— After section 20A of the principal Act, the following section shall be inserted, namely:—

"20B. *Deposit Protection Scheme.*— (1) The Government may, by notification in the Official Gazette, frame Scheme called Deposit Protection Scheme.

(2) Every co-operative credit society and other co-operative societies having credit business, shall register themselves under such Deposit Protection Scheme and pay such contributions, so as to secure deposits of its depositors and members and take such other measures, as specified in the Scheme.

(3) The Co-operative societies referred in sub-section (2) shall renew the registration under such deposit protection scheme by making payment of annual renewal fees as specified in such scheme.

(4) All sums received towards registration fees, annual renewal fee and contributions shall form part of a fund to be called Deposit Protection Fund as may be constituted under the Deposit Protection Scheme.

(5) The Government shall appoint an authority to be the custodian of such Deposit Protection Fund who shall be vested with such powers as may be specified in the Deposit Protection scheme.

(6) The co-operative societies referred in sub-section (2) shall appoint Chief Executive who shall ensure that the registration of such co-operative societies under deposit protection scheme is timely done and renewed. Failure to renew the registration on the part of Chief Executive shall constitute an offence under section 118 of this Act.

Provided that a co-operative credit society may also formulate an additional deposit protection scheme of its own with prior approval of the Registrar, for securing the deposits of its depositors.

5. *Amendment of section 32.*— In section 32 of the principal Act,—

(i) in sub section (2) for the words "A Society" the words "The chief executive or any one of the office bearer" shall be substituted;

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:—

"(3) In the event of failure on the part of the Chief Executive or the office bearer to provide the information under sub-section (2), the aggrieved member may file an appeal before the Assistant Registrar. The Assistant Registrar after hearing both the parties shall pass an order within 30 days from the date of filing such appeal.

(4) Any member who, does not receive any order within the time specified in sub-section (3) or is aggrieved by an order of the Assistant Registrar, may within a period of sixty days from the date of request under sub-section (2) or within a period of thirty days from the date of order, prefer a second appeal to the Deputy Registrar.

(5) Where the Deputy Registrar at the time of deciding such appeal is of the opinion that the chief executive or office bearer, as the case may be has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (2) or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, shall impose on the Chief Executive or the office bearer, as the case may be, a penalty of rupees two hundred and fifty

for each day of delay from the date of expiry of a period of 30 days from the date of application seeking information till the information is provided or such amount of penalty as may be decided by the Deputy Registrar in case of destruction of information, so however, the total amount of such penalty shall not exceed rupees twenty-five thousand."

6. *Substitution of section 41.*— For section 41 of the principal Act, the following sections shall be substituted, namely:—

"*Restriction on borrowings.*— (1) A society shall receive deposits and loans from members and other persons, only to such extent, and under such conditions, as may be prescribed:

(2) The total amount of deposits received and/or loans raised during any financial year shall not exceed ten times of the paid up share capital, reserve fund, building fund and accumulated profit less accumulated loss, if any, of the society:

Provided that, with prior written approval of the Registrar, the society may enhance the limit of borrowings upto twenty-five times of its paid-up share capital, reserve fund, building fund and accumulated profit less accumulated loss, if any further subject to the condition that the society fulfils all the financial parameters of a healthy co-operative credit society as provided under section 76 C.

(3) A mutually aided society shall not accept share capital from the Government but may accept other funds or guarantee from the Government on such terms and conditions as are mutually agreed upon through a memorandum of understanding.

(4) A society may accept funds from the Government or other financing institution on such terms and conditions as are mutually contracted upon. Such conditions may include the right of the Government or other financier to nominate its representative on the board of directors of

the society, subject, however, to the restriction that such representative shall have the right to vote in the meetings of the society. Such right to vote of nominated director shall however be restricted only on the subject matter of advice and on any financial matters going against society. Such nominated director shall also have the right to put dissent which shall be duly recorded in the minutes of the meeting of the Board of Directors."

7. *Omission of section 51.*— Section 51 of the principal Act, shall be omitted.

8. *Amendment of section 52.*— In section 52 of the principal Act, in sub-section (2),—

(i) for clause (c), the following clause shall be substituted, namely:—

"(c) Not less than 2% with a maximum limit of rupees fifty thousand towards contribution to the Co-operative Development Fund which shall be transferred to the Co-operative Development Fund as maintained by the Registrar of Co-operative Societies within three months after the close of the co-operative year;"

(ii) after clause (c), the following proviso shall be inserted, namely:—

"Provided that the Registrar may with the prior approval of the Government transfer such Co-operative Development Fund or part thereof to the Goa State Co-operative Union or any other Institution for the purpose of providing education and training in the Co-operation."

9. *Amendment of section 58.*— In section 58 of the principal Act, in sub-section (3),—

(i) the existing clause (k) shall be re-numbered as clause (m);

(ii) after clause (j), the following clauses shall be inserted, namely:—

"(k) acquisition of an immovable property involving an amount of rupees twenty lakhs and above by following the codal formalities and the guidelines issued by the Registrar, subject to the funds being provisioned in the building

fund, and, or by way of funds raised by voluntary contribution received from share holders without expecting any returns;

(I) disposal of immovable property involving an amount of rupees twenty lakhs and above as per the guidelines issued by the Registrar from time to time.”.

10. *Amendment of section 59.*— In section 59 of the principal Act, in sub-section (4), the following provisos shall be inserted, namely:—

“Provided that till the seats of reserved categories are not filled such reserved seats shall not be counted as members of Board of directors or for quorum of its meeting;

Provided further that if for any reason, a full-fledged board could not be constituted, it shall be competent for the Registrar to appoint remaining directors on the board by granting relaxation to the eligibility criteria and such appointment shall be co-terminous with the elected board.”.

11. *Amendment of section 59A.*— In section 59A of the principal Act, in sub-section (6), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that when there is an equality of votes, the motion shall be deemed to have lapsed.”.

12. *Substitution of section 61.*— For section 61 of the principal Act, the following section shall be substituted, namely:—

“61. *Disqualification of all directors of the Board.*— Notwithstanding anything contained in the foregoing section, all the directors of the board shall incur disqualification not exceeding six years as may be decided by the Registrar after giving an opportunity of being heard, if during their term as directors of the society,—

(a) they did not conduct the annual general meeting within six months of closure of the society's accounting year;

(b) they did not conduct a requisitioned general meeting within the specified time;

(c) they did not place the audited accounts for the preceding co-operative year before the general body at its annual general meeting;

(d) they willfully allow any of the disqualified directors to continue on the board;

(e) they did not file the returns within stipulated time as provided under section 81;

(f) they are held responsible for not providing the information as required under section 32 of the Act:

Provided that if it is proved that the aforesaid omission or commission was with the consent or connivance of or is attributed to any gross negligence on the part of any Auditor, director, Chief Executive, Managing Director or any other officer of the society, such Auditor, Director, Chief Executive, Managing Director or any other officer of the society shall be guilty and shall be liable for disqualification or misconduct, as the case may be and for penalty which shall not be less than rupees one hundred but not exceeding rupees twenty-five thousand.”.

13. *Amendment of section 62.*— In section 62 of the principal Act, in sub-section (1), for clause (i) the following clause shall be substituted, namely:—

“(i) acquire or dispose of immovable property of value not exceeding rupees twenty lakhs;”;

14. *Amendment of section 66.*— In section 66 of the principal Act, in sub-section (5),—

(i) the expression “and office bearers” shall be omitted;

(ii) after sub-section (5), the following proviso shall be inserted, namely:—

“Provided that, in case of co-operative housing society and Self Help Group

members not exceeding two hundred and in the case of panivatap societies, primary dairy co-operative societies and resource societies having working capital less than Rupees fifty lakhs, the elections of the Board or committee shall be conducted by such societies in the General Body before the expiry of the term of office of the members of the outgoing board, in accordance with the rules as prescribed".

(iii) for sub section (6), the following sub-section shall be substituted, namely:—

"(6) The election of the office bearers, except in case of co-operative housing societies and self help groups having not more than two hundred members and panivatap societies, primary dairy co-operative societies and the resource societies having working capital less than rupees fifty lakhs, shall be conducted by the authorized person/authority/body within thirty days from the date of declaration of the result of the election to the board:

Provided that the election of office bearers of co-operative housing societies and self help group not more than two hundred members may be conducted in the first board meeting of the newly elected board as per the rules as prescribed:

Provided further that subsequent vacancy or vacancies on the board caused due to retirement, resignation, death etc. shall be filled by election of new office bearer by remaining directors as per provisions of bye-laws of the societies:

Provided also that in all such cases where the elections are held by the society and not by the authorized person appointed by the Registrar a copy of the proceeding of the meeting conducting of such elections shall be mandatorily required to be submitted to the Assistant Registrar."

15. *Amendment of section 67.*— In section 67 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Where there is a vacancy or vacancies on the board of directors, the remaining directors may exercise all the powers of the board or may fill the vacancies on the board by co-option for the remainder of the term from eligible persons out of the same class of members in respect of which the casual vacancy has arisen, if such vacancies are not more than one-third of the total number of directors of the board and the term of office of the board is less than half of its original term."

16. *Amendment of section 67A.*— In section 67A of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) The Registrar may fix the remuneration payable to the administrator which shall be paid from the funds of the society".

17. *Amendment of section 68.*— In section 68 of the principal Act, sub-sections (3) and (4) shall be omitted.

18. *Amendment of section 69.*— For section 69 of the principal Act, the following section shall be substituted, namely:—

"69. *Directions by the Registrar for successful conduct of business.*— (1) The Registrar may, from time to time, issue such directions or directives to a co-operative society or a class of co-operative societies as he considers necessary for successful conduct of business, in the interest of shareholders and all matters incidental thereto and such directions or directives shall be binding on them.

(2) In case of failure to comply with direction issued under sub-section (1), the Registrar may, by order,—

(a) if such defaulter is a member of the committee of the society, remove the member from the committee and appoint any other person as a member of the

committee for the remainder of the term of his office and declare him to be disqualified to be such member for a period not exceeding six years from the date of the order;

(b) if such defaulter is an employee of the society, by order direct the committee to remove such person from employment of the society forthwith, and if any member or members of the committee, without any good reason or justification, fail to comply with such order, remove the member or members of the committee and appoint any other person as members and declare him disqualified as provided in clause (a):

Provided that, before making any such order under this sub-section, the Registrar shall give a reasonable opportunity of being heard to the person concerned.

(3) The Registrar may, on representation made to him or on his own motion, modify or cancel any direction issued under sub-section (1), and in so modifying or cancelling any direction may impose such conditions as he may think fit, subject to which the modification or cancellation shall have effect.

(4) Any person aggrieved by the decision of the Registrar, may prefer an appeal to the Secretary (Co-operation) to the Government within thirty days from such decision.”.

19. *Amendment of section 73.*— In section 73 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) Where the society fails to comply with provision contained in sub-section (4), the society shall be liable for a fine which shall not exceed rupees five hundred per day till such society complies with the provisions of sub-section (4). The fine so imposed shall be paid by the offenders within 30 days from the date of passing of order. All such fine so imposed if not paid

within specified time, shall be recovered as arrears of land revenue.”.

20. *Amendment of section 74.*— In section 74 of the principal Act, in sub-section (2),—

(i) after the expression “or having working experience of atleast ten years in co-operative Audit.” The expression “The panel of auditors so constituted by the Registrar shall be renewed after every three years with due consent of the concerned Chartered Accountants and certified auditors on payment of such renewal fees as may be prescribed.” shall be inserted.

(ii) for sub-section (2) the following proviso shall be inserted, namely:—

“Provided that before constituting the panel of auditors, the Registrar may call for the applications from the Chartered Accountant and Certified Auditors for being appointed on the Panel of Auditors.”;

(iii) in sub-section (4), for the existing proviso, the following provisos shall be substituted, namely:—

“Provided that the Registrar may in any particular case, extend the aforesaid period by such period as he may consider necessary where he is satisfied that such extension shall be in the interest of the society:

Provided further that in the event of pendency of audit, the Registrar shall appoint an auditor from the panel of auditors constituted under sub-section (2) and cause the audit.”;

(iv) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The audit fees payable to the auditors enlisted on the panel of auditors shall be fixed by the Registrar with the approval of the Government.”.

(iv) after sub-section (8), the following sub-section shall be inserted, namely:—

“(9) Notwithstanding anything contained in this section and section 75

in case of housing co-operative society and self help group having membership not exceeding two hundred members and panivatap society, primary dairy co-operative society and service resource society having working capital less than Rupees fifty lakhs, the Chief executive of such society shall prepare the statement of accounts or audit report and submit to the Board. The Board shall discuss in its meeting the statement of accounts and the audit report so submitted by the Chief executive and record its approval and within six months from the close of the co-operative year place such statement of accounts and the audit report before the general body for its approval. The Chief executive while preparing the statement of accounts and audit report shall exercise all due diligence and exercise the powers and duties of the auditor as specified under section 75 of the Act:

Provided that in all such cases where the annual statement of accounts and audit report is prepared by the Chief executive, after due approval by the General Body, a copy of such audit report or the statement of accounts shall be submitted to the Assistant Registrar for scrutiny:

Provided further that any discrepancies or shortcomings pointed out by the Assistant Registrar on such statement of accounts or audit report shall be made good by the Board of Directors of such society. Any audit compliances in such statement of accounts or audit report shall be placed before the General Body and a copy of the action taken on such audit compliances shall be submitted to the Assistant Registrar."

21. *Amendment of section 75.*— In section 75 of the principal Act, for sub-section (8) the following sub-section shall be substituted, namely:—

"(8) In the event of mismanagement, misappropriation of society's funds, the

auditor shall file special report to the Registrar, failing which, he shall be held responsible for willful omission or failure to report to the Registrar which shall constitute an offence under section 118 of this Act."

22. *Amendment of section 76A.*— In section 76A of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely:—

"(6) In case the complaint is found to be false or frivolous, the cost and expenses of the inquiry or inspection initiated under sub-section (2) of section 76 A shall be borne by such person on whose complaint such inquiry or inspection is conducted."

23. *Insertion of new sections 76B to 76G.*— After section 76A of the principal Act, the following sections shall be inserted, namely:—

"76B. *Inspection and scrutiny of co-operative credit society and other co-operative societies engaged in credit business.*— (1) Notwithstanding anything to the contrary contained in section 76A of the Act, the Registrar shall at least once in a financial year, cause an inspection of books of accounts of co-operative credit society or other co-operative societies engaged in credit business, by an officer not below the rank of Co-operative Officer with the assistance of one or more Senior/Junior Inspector if required. The inspector shall provide to the society, a copy of its report on such inspection.

Explanation: For the purpose of this section,—

(i) "Co-operative officer" means a person appointed as Co-operative Officer by the Registrar.

(ii) "Senior/Junior auditor" means person appointed as Senior/Junior auditor by the Registrar.

(2) Notwithstanding anything to the contrary contained in any other State law for the time being in force and without

prejudice to the provisions of sub-section (1), the Registrar may at any time, cause a scrutiny to be made by an officer not below the rank of Co-operative Officer and if required with the assistance of one or more Senior/Junior Inspectors; of the affairs of any co-operative credit society or other society and its books of accounts. A copy of the report of the scrutiny shall be furnished to the co-operative credit society or other society, if such society makes a request for the same or if any adverse action is contemplated against such society on the basis of the scrutiny.

(3) It shall be the duty of every Director or other officer or employee of the co-operative credit society or other society, as the case may be, to produce before any officer making an inspection under sub-section (1) or a inquiry under sub-section (2), all such books of accounts and other documents in his custody or power and to furnish him with any statements and information relating to the affairs of such society as the said officer may require within such time as such officer may specify. Any person making an inspection under sub-section (1) or a inquiry under sub-section (2) may obtain written statement of any Director or other officer or employee of the co-operative credit society or other society in relation to its business.

(4) The Registrar, after considering the report if he is of the opinion that the affairs of such society are being conducted to the detriment of the interests of its depositors, he may,—

(a) prohibit the society from receiving fresh deposits;

(b) prohibit the society from advancing fresh loans or reduce the loan sanctioning limit;

(c) issue direction to reduce the administrative and capital cost;

(d) issue such other direction as he may deem fit in the interest of such

society in particular and members at large;

(e) if the Registrar is satisfied that the inspection report reveals serious financial or administrative irregularities or violation of the provisions of the Act, Rules, Bye-laws or any guidelines or notification or if he is satisfied that the financial or administrative affairs of the society are managed in a manner detrimental to the interest of the members, he shall recover such sum of money equivalent to the loss caused to the society from every person responsible for causing such loss and such act shall constitute offence in terms of section 118 of this Act.;

(f) direct to amalgamate, merge with other society or may order for liquidation for winding up of its affairs:

Provided that the Registrar after assessing the financial position of such society, may cancel or modify or relax any such order passed under clause (a), (b), (c) or (d) of sub-section (4) upon such terms and conditions as he may deem fit.

76C. *Ailing Co-operative Credit societies.*— (1) For the purposes of this section an Ailing Co-operative credit society shall mean a Co-operative credit society and such other co-operative societies engaged in the business of credit which does not fulfill any of the financial parameters specified in sub-section (2) to qualify to be a financially healthy co-operative society:—

(2) A financially healthy co-operative credit society means a co-operative credit society which fulfills the following financial parameters, namely:—

(A) Resources— The collective wealth of a society or its means of producing wealth or increasing its business. The collective wealth of the cooperative credit society is determined on the basis of the following financial parameters

(i) Share Capital: The funds raised by the Cooperative Credit Society against the shares allocated to its members. For a financially healthy cooperative credit society the share capital should be 5 % of the total liabilities in the annual balance sheet of such society.

(ii) Reserves and other funds: the funds created out by way of appropriation of the net surplus or profits earned. For a financially healthy cooperative credit society the total reserves and other such funds as are provided in section 52 of this Act shall be in the proportion of 6 % of the total liabilities in the annual balance sheet of such society.

(iii) Deposits and Borrowings: The total deposits and borrowings of a financially healthy cooperative credit society shall be 84 % of the total liabilities in the Annual Balance sheet of such society.

(iv) Other liabilities: A financially healthy cooperative credit society may have other liabilities resulting out of its business operations, which may be specified and the same shall be 3 % of the total liabilities on the annual balance sheet of such society.

(v) Net surplus: Net surplus or net Profit of the financially healthy cooperative credit society shall be 1 % to 2 % of total liabilities in the annual balance sheet of such society.

(vi) Non Performing Assets (N.P.A.): Net N.P.A. of a healthy co-operative society shall not exceed 10% of advances at any point of time.

Explanation: "Non Performing Assets" means assets which do not generate income. In case any loan account, which does not generate income for more than 180 days, it should be treated as non performing assets.

(b) Utilization: The practical and effective use of funds of the society as per the

directives of the Registrar or in accordance with the Bye Laws and the business of the society. The following financial parameters shall determine the Utilization of the cooperative credit society.

(i) Loans and Advances: The total Loans and Advances extended by the financially healthy Cooperative Credit society shall be 70 % of the liabilities in the balance sheet.

(ii) SLR: SLR or statutory liquidity ratio is the minimum percentage of deposits that a bank has to maintain in form of gold, cash or other approved securities. The Proportion of SLR for a financially healthy cooperative credit society shall be 20 % of the total deposits (i.e. 16.80 % of the total liabilities).

(iii) CRR: CRR or Cash Reserve Ratio refers to a certain percentage of total deposits of the cooperative credit society which is required to be maintained in the form of cash reserve with a central Bank. The Proportion of CRR for a financially healthy cooperative credit society shall be 5% of the total deposits (i.e. 4.2 % of the total liabilities)

(iv) Fixed Assets: Land, buildings, equipments or any assets which are purchased by the society for term use and are not likely to be converted quickly into cash. For a financially healthy cooperative credit society the total liability on account of Fixed assets shall be 4% of the total liabilities in the balance sheet.

(v) Other assets: Means miscellaneous assests that cannot be classified as current assets, fixed assets or intangible assets. For a financially healthy cooperative credit society the total liability on account of Fixed assets shall be 5 % of the total liabilities in the annual balance sheet.

(3) Where a Co-operative credit society does not fulfill the financial parameters as specified in sub-section 2, such

co-operative credit society shall be classified as ailing Co-operative credit society. The Registrar shall direct the Board of Directors of such ailing co-operative credit society to submit detailed action plan complying the requirements of financial parameters as contained in sub-section (2) above. The Registrar may suggest measures to streamline the functioning of such ailing societies and may also seek assistance of any person appointed under sub-section (3) of section 4 of this Act so that such co-operative credit societies fulfil the specified financial parameters confirming their financial health.

(2) The Registrar shall display on his website a list of such ailing co-operative credit societies for information of depositors and general public.

76D. Inquiry into working of ailing co-operative credit societies.— (1) The Registrar may make such inquiry as he may deem fit, to ascertain the financial condition of the ailing co-operative credit society, upon information received or upon his own knowledge about such ailing co-operative credit society.

(2) The Registrar may, if he deems necessary or expedient so to do require by order, the Deputy Registrar or any subordinate officer to enquire into the affairs of such ailing co-operative credit society and make a report with respect to matters as specified in the order.

(3) The Deputy Registrar or any subordinate officer so appointed under sub-section (2) above shall complete its inquiry as expeditiously as possible and submit its report to the Registrar within thirty days from the date of such order:

Provided that the Registrar may extend the said period upto fifteen days by recording the reasons in writing.

(4) The Registrar shall conclude its inquiry as expeditiously as possible and pass final order suggesting the action for such ailing co-operative credit society

within sixty days from the commencement of the inquiry:

Provided that the Registrar may extend the said period to ninety days with the approval of Government, by recording the reasons for such extension. An opportunity of hearing shall be granted to such ailing co-operative credit society and to present their cases so also to comply with the requirements of the financial parameters as contained in sub-section (2) of section 76 C.

76E. Powers of the Registrar to make suitable order on completion of inquiry of an ailing Co-operative credit society.— (1) The Registrar, after making an inquiry under section 76D, by an order in writing, decide whether it is practicable for the ailing credit co-operative society to achieve the financial parameters as contained in sub-section (2) of section 76C within reasonable time frame. The Registrar shall, subject to such restrictions or conditions as may be specified in the order, give such time to the ailing co-operative credit society to achieve the financial parameters.

(2) If the Registrar decides under sub-section (1) that it is not practicable for an ailing Co-operative Society to achieve the financial parameters as contained in sub-section 2 of section 76C, within a reasonable time and that it is necessary or expedient in the public interest to adopt all or any of the measures specified in section 76E in relation to the said ailing co-operative credit society, he may, as soon as may be, by order in writing, direct any of his subordinate officer under whose jurisdiction the society is functioning or apex society specified in the order to prepare such scheme as may be specified in the order providing for measures in relation to such ailing co-operative credit society.

(3) The Registrar may,- (a) if order made under sub-section (2) is not complied with by the ailing co-operative credit society concerned; or

(b) if the ailing co-operative credit society fails to revive in pursuance of the said order, pass a fresh order in respect of such ailing co-operative credit society.

(4) An appeal shall lie to the Secretary (Cooperation) to the Government upon any such order passed by the Registrar under section 76 D or section 76 E within a period of 30 days from the date of such order.

76F. *Preparation and sanction of schemes.*— Where an order is made under sub-section (3) of section 76D in relation to any ailing co-operative credit society, the subordinate officer under whose jurisdiction the society is functioning or Apex society specified in the order shall prepare as expeditiously as possible and ordinarily within a period of sixty days from the date of such order, a scheme in terms of said order with respect to such ailing co-operative credit society.

76G. *Reference to the Government by the Registrar.*— The Registrar shall make an annual report to the Government of ailing co-operative credit societies with particular reference to their activities and suggestions, if any, for the strengthening of such ailing co-operative credit societies.”.

24. *Amendment of section 79.*— For section 79 of the principal Act, the following section shall be substituted, namely:—

“79. *Action on special audit or inquiry report or inspection report.*— On communication of a special audit report under sub-section (5) of section 76 or an enquiry or inspection report under sub-section (5) of section 76A or an inquiry report under sub-section (5) of section 77 to the persons concerned, the Registrar may, where the special audit or inquiry report or inspection report reveals mismanagement on the part of any or all of the office bearers or directors, without prejudice to any civil or criminal proceedings to which they

may be liable, direct the board to convene a general meeting within such reasonable time as he may specify so as to enable him to bring to the notice of the general meeting, either directly or through his nominee, the findings of the special audit or inquiry report or inspection report, for necessary action.”.

25. *Amendment of section 82.*— In section 82 of the principal Act,—

(i) in sub-section (2),—

(a) for the expression “The Registrar or the person authorized by him”, the expression “The Registrar or Registrar’s Nominee or the person authorized by the Registrar” shall be substituted;

(b) in the proviso, for the expression “The Registrar shall not pass”, the expression “The Registrar or Registrar’s Nominee shall not pass” shall be substituted.

(c) after the existing proviso, the following provisos shall be inserted, namely:—

“Provided further that the Registrar or Registrar’s nominee shall not pass any order of recovery under this section unless the person against whom any such order is passed is given an opportunity of being heard;

Provided also that where any matter is referred for decision to the Registrar’s nominee or the person authorized by him, the Registrar may, at any time, withdraw such matter from such nominee or person authorized by him and may decide the matter himself, or refer it again, for decision to any other nominee or person to be authorized by him.”.

26. *Amendment of section 83.*— In section 83 of the principal Act,—

(i) after sub-section (4), the following sub-section shall be inserted, namely:—

"(5) Where the Registrar is satisfied that, any person against whom the order has been passed under this section has failed to comply with the directions, he may impose a penalty of two hundred and fifty rupees for each day of delay, however, the total amount of such penalty shall not exceed fifty thousand rupees.";

(ii) in the Explanation 1, for the expression "under the provisions of sub-section (1)", the expression "under the provisions of sub-section (2)" shall be substituted.

27. *Amendment of section 86.*— In section 86 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) Notwithstanding anything contained in section 83, the Registrar may,—

(a) if he thinks fit, suspend proceedings in regard to any dispute, if the question at issue between a society and a claimant or between different claimants, is one involving complicated questions of law and fact, until the question has been tried by a regular suit instituted by one of the parties or by the society. If any such suit is not instituted within two months from the date of the Registrar's order suspending proceedings, the Registrar shall take action as is provided in sub-section (1).

(b) on requisition from the society, and with the approval of the Government and subject to such conditions as he may think fit to impose, appoint any empanelled Registrar's Nominee to decide the matter. After being satisfied that the matter referred to him or brought to his notice is a dispute within the meaning of section 83, shall subject to the rules, decide the dispute.

(c) With the approval of Government, by notification in the Official Gazette and subject to such conditions as it may think fit to impose, appoint a retired officer not below the rank of Assistant

Registrar of Co-operative Societies having working experience of at least five years, to decide the disputes as specified under section 83 of this Act and to exercise such powers as specified in the notification. The Officer so appointed shall work under the general guidance, supervision and control of the Registrar."

28. *Amendment of section 91C.*— In section 91C of the principal Act,—

(i) the word "resource", shall be omitted;

(ii) after sub-section (3), the following sub-section (4) shall be inserted, namely:—

"(4) The Collector shall exercise powers as vested under the Goa Land Revenue Code, 1968 (Act 9 of 1969) or any law for the time being in force, until the arrears due to the concerned society, together with interest and any incidental charges incurred in the recovery of such arrears, are paid, or security for payment of such arrears is furnished to the satisfaction of the Registrar."

29. *Amendment of section 91D.*— In section 91D of the principal Act, in sub-section (1), for the expression "an officer of a Federal Institution duly empowered by him in this behalf," the expression "an officer of a Federal Institution or Chief Executive as defined under clause (9) of section 2, duly empowered by him by special order," shall be substituted.

30. *Insertion of new sections 104A.*— After section 104 of the principal Act, the following section shall be inserted, namely:—

"104A. *Conversion of Co-partnership Co-operative Housing Society.*— (1) All the existing co-partnership Co-operative housing Societies shall be converted as co-ownership co-operative housing societies and shall be governed accordingly.

(2) All such co-partnership co-operative housing societies being converted to co-ownership co-operative housing society in view of sub-section (1) above, shall adopt the relevant byelaws of the Co-ownership co-operative housing society, within a

period of 30 days from the date of coming into force of the Goa Co-operative Societies (Amendment) Act, 2021:

Provided that, until such co-operative housing society adopts the bye laws of co-ownership co-operative housing society, such co-operative society shall be governed by existing bye laws.

(3) After conversion under sub-section (1) the rights of the co-partnership Co-operative housing societies shall stand transferred, along with encumbrances and liabilities, to the members of the Co-ownership co-operative housing society according to their proportionate shares."

104B. *Enforcement of transfer of title.*— (1) Any existing member of such co-operative housing society converted under sub-section (1) of section 104A, may produce the agreement for sale executed with the promoter or the builder along with the document of subsequent sale, if any, or a share certificate issued by such cooperative housing society for authentication by the Registrar.

(2) The Registrar, on receiving such application, within reasonable time and in any case not later than 6 months after making such enquiry as deemed necessary, may authenticate either the sale agreement or share certificate and send a copy of such authentication certificate online to the registration officer appointed under the Registration Act, 1908.

Explanation 1: The Registrar shall do a limited inquiry to confirm the authenticity of the sale agreement or share certificate and in case of registered sale agreement only the fact of registration to be confirmed.

Explanation 2: Any dispute relating to title shall be dealt by the competent civil court.

(3) After the authentication by the Registrar, the document to be any member of such cooperative society shall present the document before the registration officer

appointed under the Registration Act, 1908, for registration as a document under the relevant provision of the Registration Act, 1908."

31. *Amendment of section 111.*— In section 111 of the principal Act, after sub section (2), the following sub-section shall be inserted, namely:-

"(3) Notwithstanding anything contained in any other law for time being in force, no complaint or dispute from any defaulting member shall be entertained until the default is made good."

32. *Insertion of new section 113A.*— After section 113 of the principal Act, the following section shall be inserted, namely:-

"113A. *Constitution of Panel of Reconciliators.*— (1) The Registrar shall with prior approval of the Government, constitute a panel of Reconciliators from amongst the persons having experience in the field of law, banking, management, finance, accounts, audit, human resource or specialization in any other field relating to the objects and activities undertaken by the Co-operative Societies, and having their office address within the State of Goa.

(2) Every Co-operative housing society having more than five members shall appoint in its General Body meeting a Reconciliator from the Panel of Reconciliators constituted under sub-section (1).

(3) Any dispute or difference of opinion arising amongst the members or any non compliance or delay in compliance affecting the members/society shall be referred to such Reconciliator for decision.

(4) The Reconciliator shall hear the matter referred to him under sub-section (3).

(5) The Reconciliator shall after giving an opportunity of being heard to all the affected parties, pass an award which shall be binding on all the parties to the dispute.

(6) The Reconciliator shall complete reconciliation proceedings as early as possible, within a period of three months.

(7) Person aggrieved with the decision of the Reconciliator may prefer appeal to such authority as prescribed.

(8) The Reconciliator shall keep all the records of the proceedings which shall form part of the records of the society.

(9) Co-operative housing society or member of such society or any person affected by such society or managing committee shall not approach the Registrar or any judicial forum without exhausting the remedy before the Reconciliator or the failure is reported by the Reconciliator to the board".

(10) The fee of the Reconciliator shall be such as may be notified by the Registrar with prior approval of the Government and the same shall be paid equally by the parties to dispute or as may be ordered in the order for costs subject to maximum limits as notified.

33. *Amendment of section 118.*— In section 118 of the principal Act, after clause (g), the following clause shall be inserted, namely:-

"(h) Board or employee or any officer of co-operative societies fails to obey the direction or instructions issued by the Registrar in accordance with the Act."

34. *Amendment of section 120.*— In section 120 of the principal Act,

(i) in sub-section (3), for the expression "concerned," the figure " : " shall be substituted;

(ii) after sub-section (3), the following provisos shall be inserted, namely:-

"Provided that the Registrar may appoint an authority competent to compound any offence under the provisions of this Act.

Provided further that no prosecution shall be carried out against any offender under the provisions of this Act where such offence is compounded by imposition of penalty by such compounding authority appointed by the Registrar, on payment of such sum as provided under the provisions of this Act or as may be provided under section 119 of this Act to the Government, however, such sum shall not, in any case, exceed the maximum amount of the penalty prescribed."

35. *Amendment of section 122.*— In section 122 of the principal Act, in sub-section (1), for the expression "all sums due from a society or from an office bearer", the expression "all sums and penalties due from directors or an office bearer" shall be substituted.

36. *Amendment of section 123B.*— In section 123B of the principle Act, sub-section (2) shall be omitted.

Statement of Objects and Reasons

The bill seeks to insert clause (1A) and clause (38a) to section 2 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the said Act) whereby Administrative Secretary and Reconciliator have been defined.

The bill seeks to insert sub-section (3) to section 4 of the said Act. By inserting sub-section 3 to section 4 of the Act the Registrar with prior approval of Government is empowered to appoint experts on such terms and conditions as may be decided by the Government, to assist him in deciding certain matters.

The bill seeks to insert section 20B to the said Act. By inserting the said section, the Government is empowered to formulate a "deposit protection scheme" with such terms and conditions as he may deem fit, for providing relief to the depositors of resource societies against loss of their deposits arising from the society's failure.

The bill seeks to insert sub-clause (3), (4) and (5) to section 32 of the said Act. By inserting said clauses, the Dy. Registrar is empowered to penalize the concern officer or the office bearers for not providing the information to the members as per the statutory entitlement.

The bill seeks to amend section 41 by merging provisions of section 51 and thereby deleting existing section 51 of the said Act, since these sections have similar effect.

The bill seeks to amend clause (c) of sub-section (2) of section 52 of the said Act. By amending clause (c) the expression "Co-operative Education Fund" has been substituted with the expression "Co-operative Development fund".

The bill seeks to insert clause (k) and (l) to sub-section (3) of section 58 of the said Act. By inserting said clauses, the general body has been given power to acquire or dispose of immovable property valued above Rs. 20.00 lakhs.

The bill seeks to insert provisos to sub-section (4) of section 59 of the said Act. By inserting two provisos, the impediments in constituting the full fledged board are removed.

The bill seeks to insert second proviso to sub-section (6) of section 59A of the said Act. By inserting the said proviso, the confusion arising on account of equality of votes has been done with.

The bill seeks to substitute section 61 of the said Act. By substituting said section an opportunity is provided to the erring board members of being heard before disqualifying them.

The bill seeks to insert new clause (c) to section 61 of the said Act. By this insertion, the provision of the said clause is brought in conformity with the provisions of section 58 and 72(2) of the principal Act.

The bill seeks to insert sub-clause (e) and (f) to section 61 of the said Act. By inserting said clauses, the board is made liable for disqualification if they do not comply with the requirement of section 81 and section 32.

The bill seeks to insert proviso to section 61 of the said Act. By inserting proviso to said section fair opportunity is provided to the board to put forth their say and at the same time the auditors, directors and the employees of the institution are also made responsible for their negligence.

The bill seeks to substitute clause (i) of sub-section (1) of section 62 of the said Act, since the powers to acquire or to dispose of immovable property are delegated to the general body.

The bill seeks to amend sub-section (5) of section 66 of the said Act. By amending the said sub-section, the expression "office bearers" have been deleted as consequential effect is given in sub-section (6) of section 66 of the said Act. Likewise, new proviso has been inserted to the said section whereby the housing societies and self help groups having less than or up to 200 members are empowered to conduct their election in the general body.

The bill seeks to amend sub-section (6) of section 66 of the said Act. By amending said section, housing societies and self help groups having less than or up to two hundred members are allowed to hold the elections of the office bearers in the first board meeting of the newly elected board. Likewise, by inserting new provisos, the elected directors are given liberty to fill the subsequent vacancies created due to retirement, resignation, death, etc.

The bill seeks to substitute section 67 of the said Act. By substituting said section, the requirements of the proviso to sub-section (2) of section (59) are suitably inserted in section 67 by carrying out the necessary modifications.

The bill seeks to insert sub-section (4) to section 67A of the principal Act. By inserting said sub-section, the Registrar is empowered to fix the remuneration payable to the administrator.

The bill seeks to omit sub-sections (3) and (4) of section 68 of the said Act, since the same are inserted under section 69.

The bill seeks to substitute section 69 of the said Act. By substituting the said section, the Registrar is empowered to have a regulatory control over the investment or utilization of funds by the societies.

The bill seeks to insert proviso to sub-section (4) of section 73 of the principal Act. By inserting new proviso to sub section (4) of section 73, the directors are made liable for fine if they fail to submit the statement of accounts within the stipulated time.

The bill seeks to amend sub-section (2), insert new proviso to sub-section (4) and substitute sub-section (5) of section 74 of the said Act. By amending the said sections Registrar is empowered to call for the applications from the Chartered Accountants and Certified auditors for being appointed on the panel of auditors and to renew the panel of Auditors so constituted after every three years with the due consent of the auditors on the panel and on payment such renewal as may be prescribed.

The bill seeks to insert sub-section 9 to section 74 of the said Act. By inserting sub-section (9) to section 74 of the said Act, procedure has been prescribed for conducting the audit of housing coop. societies and self help groups having less than two hundred and panivatap societies, primary dairy Coop. societies and service resource societies having working capital less than Rs. 50.00 lakhs.

The bill seeks to substitute sub-section (8) of section 75 of the said Act. By inserting said sub section it is made mandatory to the

auditors to file special report to the Registrar and on his willful omission or failure to report the same to the Registrar, he is liable for action.

The bill seeks to insert sub-section (6) to section 76A of the said Act. By inserting said sub-section the complainant at whose instance inquiry is conducted is made liable to bear the expenses of the inquiry, incase the complaint is found to be false or frivolous.

The bill seeks to insert new section 76B to the said Act. By inserting said sections the Registrar is empowered to conduct inspection/scrutiny and if warranted issue restrictions/directions on the conduct of the business of the society.

The bill seeks to insert new section 76C to the said Act. By inserting said section the Registrar is empowered to assess the financial stability of a credit co-operative society and declare it a Ailing co-operative credit society if it fails to fulfill the financial parameters prescribed to be a healthy co-operative credit society.

The bill seeks to insert new section 76D to the said Act. By inserting said section the Registrar is empowered to inquire into working of ailing co-operative credit society.

The bill seeks to insert new section 76E to the said Act. By inserting said section the Registrar is empowered to make suitable orders on completion of inquiry of an ailing co-operative credit society.

The bill seeks to insert new section 76F to the said Act. By inserting said section the registrar is empowered to prepare and sanction schemes for ailing co-operative credit society.

The bill seeks to insert new section 76G to the said Act. By inserting said section the registrar is empowered to make an annual report of working of ailing co-operative credit

society and submit to the government with particular reference to their activities and suggestions for the strengthening of such ailing co-operative credit societies.

The bill seeks to amend section 79 of the said Act. By amendment to the said section, section 76A is brought under the ambit of the said section.

The bill seeks to amend sub-section (2) of section 82 of the said Act. By amendment to the said section the expression "Registrars Nominee" is inserted and by inserting new proviso to the said section, the person against whom any such order is to be passed is given an opportunity of being heard. The amendments to said section also empower the Registrar to withdraw the matter referred by him to the Registrar's Nominee or authorized person.

The bill seeks to insert clause 5 to section 83 of the said Act. By inserting clause the Registrar is empowered to impose penalties on the person against whom the order has been passed under if he fails to comply with the directions.

The bill seeks to substitute sub-section (3) of section 86 of the principal Act. By substituting said section the Registrar is empowered to appoint any empanelled Registrar's Nominee to decide a dispute within the meaning of section 83 of the said Act, arising in the society.

The bill seeks to omit the word "resource" appearing in section 91C of the said Act. By omitting the word "resource" all type of societies are brought under the purview of the said section for the purpose of recovery of arrears.

The bill seeks to amend sub-section (1) of section 91D of the said Act. By amendment to the said section the registrar is empowered to appoint chief executive of a society amongst others to recover the dues of the society.

The bill seeks to insert sections 104A to the said Act. By inserting said sections all the existing co-partnership co-operative housing societies are converted as co-ownership co-operative housing societies.

The bill seeks to insert sections 104B to the said Act. By inserting said sections, provision has been made for enforcement of transfer of title in the name of the member.

The bill seeks to insert sub-section (3) to section 111 of the said Act. By inserting said sub section 3 it is made mandatory for a member to clear his due towards the society for being eligible to raise a dispute against the society.

The bill seeks to insert section 113A to the said Act. By inserting said section a provision is made to redress the grievances of the members of the housing societies through Reconciliator instead of resorting to a dispute under section 83 of the Act.

The bill seeks to insert sub-clause (h) to section 118 of the said Act. By inserting sub-clause (h), the Board, employees and any officer of the Co-operative Societies who fail to obey the directions or instructions issued by the Registrar, are brought under the purview of section 118 for offence.

The bill seeks to amend section 120 of the said Act. By amendment to the said section the Registrar is empowered to appoint authority competent to compound any offence under the provisions of the Act.

The bill seeks to amend section 122 of the principal Act. By amendment to the said section, for the expression "all sums due from a society or from an office bearer" the expression "all sums and penalties due from the directors or an office bearer" so as to make the directors and office bearers accountable for payment of penalties.

The bill seeks to omit sub-section (2) of section 123B of the said Act, since the same is inserted under section 86 of the Act.

Financial Memorandum

Financial implications are involved in the Bill and the same cannot be quantified at this stage. The proposal is concurred by Finance Department.

This proposal is vetted by the Law Department.

Memorandum regarding delegated legislation

Sub-section 3 of section 4 of the bill empowers the government to appoint a person having experience in the field of banking, finance, management, accounts, audit, human resource or specialisation in any other field relating to the objects and activities undertaken by the co-operative societies to assist the Registrar.

Section 20B of the bill empowers the Government to formulate the scheme to protect the interest of the depositors by issuing Notification in the Official Gazette.

Section 66 of the bill empowers the Government to prescribe Rules for conduct of elections of Board of Directors and Office Bearers of Co-operative Housing Societies and Self Help Groups with membership not exceeding 200 and panivatap societies, primary dairy co-operative and resource societies having working capital less than fifty lakhs.

Section 74 of the bill empowers the Government to prescribe fees for renewal of panel of Auditors.

Section 113A of the bill empowers the Government to constitute a Panel of Reconciliator and notify the fees payable to them.

This delegation is of normal character.

Porvorim Goa. (GOVIND GAUDE)
Dated: July, 2021. Minister for Co-operation.

Assembly Hall, Secretary to the Legislative
Porvorim Goa. Assembly of Goa.
Dated: July, 2021.

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, P. S. Sreedharan Pillai, Governor of Goa, hereby recommend the introduction and consideration of the Goa Co-operative Societies (Amendment) Bill, 2021 (Bill No. 45 of 2021) by the Legislative Assembly of Goa.

Place: Raj Bhavan, P. S. SREEDHARAN PILLAI
Dona Paula, Goa Governor of Goa
Date: _____

LA/LEGN/2021/856

The following bill which was introduced in the Legislative Assembly of the State of Goa on 29th July, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA PANCHAYAT RAJ
(AMENDMENT) BILL, 2021

(BILL No. 46 of 2021)

A

BILL

further to amend the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994).

BE it enacted by the Legislative Assembly of Goa in the Seventy second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Amendment) Act, 2021.

(2) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Section 2.*— In section 2 of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) (hereinafter referred to as the "principal Act"),-

(i) clauses (1), (1-A) and (1-B) shall be renumbered as (1-A), (1-B) and (1-C) and before clause (1-A) so renumbered, the following clause shall be inserted, namely:-

"(1) "alteration" means a structural change, such as removal of part of a building or a change to the structure of the building such as construction of roof with R.C.C. material;"

(ii) after clause (17), the following clause shall be inserted, namely:-

"(17-A) "Registered Structural Engineer" means a Structural Engineer as defined in clause (129) of regulation 2 of the Goa Land Development and Building Construction Regulations, 2010. Such Engineer shall be registered with the Town and Country Planning Department under the said Regulations";

(iii) after clause (20A), the following clause shall be inserted, namely:-

"(20-B) "Single dwelling unit" means an independent housing unit with facility of living, cooking and sanitary requirements;"

3. *Amendment of section 7.*— In section 7 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the "said Act"),-

(i) in sub-section (3), for the word "Director" the expression, "State Election Commission in consultation with the Government," shall be substituted;

(ii) in first proviso to sub-section (4) and sub-section (5), for the word "Government", wherever it occurs, the expression, "State Election Commission in consultation with the Government," shall be substituted.

4. *Amendment of section 66.*— In section 66 of the principal Act, after sub-section (1), the following proviso shall be inserted, namely:-

"Provided that alteration of a building which consists of a single dwelling unit constructed or in existence before the commencement of this Act shall be permitted to the extent of replacement of tiles roofing with the R.C.C. slab roofing upon production of certificate of stability of such building issued by the Registered Structural Engineer."

5. *Amendment of section 119.*— In section 119 of the said Act, for the word "Government", the expression "State Election Commission in consultation with the Government," shall be substituted.

6. *Amendment of section 153.*— In section 153 of the principal Act, after sub-section (1) the following sub-section shall be inserted, namely:-

"(1A) The tax as aforesaid shall also be levied on buildings constructed without authorization within the limits of Panchayat area:

Provided that nothing in this sub-section shall amount to regularization of unauthorized construction of such building:

Provided further that nothing in this sub-section shall prevent any competent authority from taking any action against such building in accordance with law."

Assembly Hall, SHRI MAUVIN GODINHO
Porvorim-Goa. Minister for Panchayats
Date:- 28-07-2021.

STATEMENT OF OBJECT AND REASONS

The Bill seeks to amend section 2 of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) (hereinafter referred to as the "said Act") by inserting new definitions i.e., alteration", Registered Structural Engineer" and "Single dwelling unit" so as to give more clarity to the provision/sections proposed in the Bill.

The Bill seeks to amend section 7 of the said Act, to hold the election procedure in free and fair manner by handing over the election process including reservation to the Goa State Election Commission as mandated by 73rd Constitutional Amendment.

The Bill seeks to amend section 66 of the said Act, by inserting new proviso after sub-section (1) of section 66 so as to make provision for replacing the tile roof with slab to the single dwelling unit that existed prior to the enactment of the Goa Panchayat Raj Act, 1994, subject to production of certificate of stability issued by Registered Structural Engineer.

The Bill seeks to amend section 119 of the said Act, to hold the election procedure in free and fair manner by handing over the election process including reservation to the Goa State Election Commission as mandated by 73rd Constitutional Amendment.

The Bill seeks to insert new sub-section (1A) after sub-section (1) of section 153 of the said Act so as to levy the taxes on buildings constructed without authorization within the limits of Panchayat area.

The Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

There is no financial burden on the State ex-chequer. The revenue by way of levy of taxes will be collected by the local authority and will form part of their own source revenue.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

Assembly Hall, SHRI MAUVIN GODINHO
Porvorim-Goa. Minister for Panchayats
Date:- 28-07-2021.

Assembly Hall, SMT. NAMRATA ULMAN
Porvorim-Goa. Secretary to the
Date:- 28-07-2021. Legislative Assembly of Goa

Annexure

(Annexure to the Bill No. 46 of 2021)

The Goa Panchayat Raj (Amendment) Bill 2021

The Goa Panchayat Raj Act, 1994
(Act No. 14 of 1994)

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(1) “Backward classes” means such classes of citizens as may be notified by the Government from time to time as belonging to backward class;

(1-A) “Block Development Officer” means a person appointed as Block Development Officer by the Government;

(1-B) “Ballot” means ballot papers prepared in accordance with the provisions of the Act or rules made thereunder and includes “Electronic Voting Machine”;

(2) “building” includes a house, outhouse, stable, privy, urinals, shed, hut, wall and any other structure whether of masonry, bricks, wood, metal or any other material, but does not include a temporary structure erected on ceremonial or festive occasion or a tent;

(3) “Sarpanch” means the Sarpanch of a Panchayat;

(4) “Deputy Sarpanch” means the Deputy Sarpanch of a Panchayat;

(5) “Adhyaksha” means the Adhyaksha of a Zilla Panchayat;

(6) “Upadhyaksha” means the Upadhyaksha of a Zilla Panchayat;

(7) “Collector” means the Collector of the district and includes an Additional Collector;

(8) “Chief Executive Officer” means the Chief Executive Officer of a Zilla Panchayat and includes any other officer appointed by the Government in this behalf;

(8-A) “Deputy Director” means the person appointed as the Deputy Director of Panchayat by the Government;

(9) “Director” means the person appointed as the Director of Panchayats under this Act and includes an Additional Director;

(10) “district” means a revenue district;

(11) "Government" means the Government of Goa;

(11-A) "Gram Sevak" means the person appointed by the Director to perform the duties as Gram Sevak;

(12) "land" includes land which is built upon or covered with water;

(12-A) "Member-Secretary" means a person appointed by the Government as Member-Secretary and includes a Block Development Officer;

(13) "notification" means a notification published in the Official Gazette;

(14) "Panchayat" means a Village Panchayat established under section 3; "erection or re-erection or enlargement" of any building includes,—

(i) any material alteration or enlargement or in of any building;

(ii) the conversion, by structural alteration into a place of human habitation of any building not originally meant or constructed for human habitation;

(iii) the conversion of one or more places of human habitation into a greater number of such places;

(iv) the conversion of two or more places of human habitation into a lesser number of such places;

(v) such alteration of a building as would effect a change in the drainage or sanitary arrangements or materially affect its security;

(vi) the addition of any rooms, buildings, houses or other structures to any building;

(vii) the conversion, by any structural alteration into a place of religious worship or into a building not originally meant or constructed for such purposes;

(viii) roofing or covering an open space between wall or buildings, in respect of the structure which is formed by roofing or covering such space;

(ix) Conversion into a stall, shop, warehouse or godown or any building not originally constructed for use as such or vice versa;

(x) construction of a door in a wall adjoining any street or land not vested in the owner of the wall and opening in such street or land;

(16) "factory" means besides a factory as defined in the Factories Act, 1948 (Central Act 13 of 1948),

any premises including the precincts thereof wherein any industrial manufacturing or trade process is carried on with the aid of steam, water, oil, gas, electrical or any other form of power which is mechanically transmitted and is not generated by human or animal agency;

(16A) "political party" means a political party as defined under clause (f) of sub-section (1) of section 2 of the Representation of the People Act, 1951 (Central Act 43 of 1951);

(17) "prescribed" means prescribed by rules framed under this Act;

(18) "Schedule" means a Schedule appended to this Act;

(19) "Scheduled Castes and Scheduled Tribes" means such Scheduled Castes and Scheduled Tribes specified in respect of the State of Goa under the Constitution:

(20) "Secretary" means the Secretary of the Panchayat:

(20A) "Taluka Panchayat" means a Taluka Panchayat established under this Act;

(21) "Zilla Panchayat" means a Zilla Panchayat established under this Act.

7. *Constitution of Panchayats.*—(1) A Panchayat shall consist of, such number of members as the Government may, by order, determine, so far as may be in accordance with the following Table:—

Table		
For a Panchayat with a population of	No. of members	Classification
(1) 1500 or more but not more than 2000	5	D
(2) more than 2000 but not more than 5000	7	C
(3) more than 5000 but not more than 8000	9	B
(4) more than 8000	11	A

(2) All the members of a Panchayat shall be elected.

(3) The Director shall divide each Panchayat area into wards the number of which shall be equal to the number of members determined in respect of such Panchayat under sub-section (1).

(4) In every Panchayat, seats shall be reserved for the Scheduled Castes and the Scheduled Tribes and the number of seats so reserved shall bear as nearly as may be, the same proportion to the total

number of seats in the Panchayat as the population of the Scheduled Castes and the Scheduled Tribes in the Panchayat area bears to the total population of the Panchayat area:

Provided that Government may by notification reserve any seat reserved for Scheduled Castes and Scheduled Tribes for women belonging to the Scheduled Castes or as the case may be, the Scheduled Tribes:

Provided further that the Government may, by order published in the Official Gazette, direct any Panchayat to co-opt in such manner as may be prescribed, a person belonging to the Scheduled Caste, where there is a reasonable population of the Scheduled Caste but the reservation may not be made.

(5) The Government may, by notification reserve such number of seats in any Panchayat as may be considered necessary, taking into account the population of the backward classes in the Panchayat area, for persons belonging to the backward classes.

(6) Not less than one third (including the number of seats reserved for women belonging to Scheduled Castes or Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women:

Provided that the seats reserved under sub-section (4), (5) and (6) shall be allotted by rotation to different wards in the panchayat area:

Provided further that nothing contained in this section shall be deemed to prevent a woman or a person belonging to the Scheduled Castes and Scheduled Tribes or Backward Classes from contesting for elections to any non-reserved ward in such Panchayat.

(7) Notwithstanding anything contained in sub-section (1) where two-thirds of the total number of members are required to be elected or have been elected, failure to elect the remaining members shall not affect the constitution of the Panchayat.

(8) The Director shall publish, in the prescribed manner, the names of members elected or deemed to have been duly elected to a Panchayat.

Explanation:—In this section, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures of have been published, but where figures of census are not available, the population shall be ascertained from other relevant authenticated records maintained by the Government.

66. *Regulation of the erection of buildings.*—(1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building or reconstruct any building without the written permission of the Panchayat. The permission may be granted on payment of such fees as may be prescribed.

(2) If a Panchayat does not, within thirty days from the date of receipt of application, determine whether such permission should be given or not and communicate its decision to the applicant, the applicant may file an appeal within thirty days from the date of expiry of aforesaid period, to the Deputy Director who shall dispose of the same within thirty days from the date of filings of such appeal. If the Deputy Director fails to dispose of the appeal within thirty days, such permission shall be deemed to have been given and the applicant may proceed to execute the work, but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act.

(3) Whenever any building is erected, added to or reconstructed without such permission or in any manner contrary to the rules prescribed under sub-section (1) or any conditions imposed by the permission granted, the Panchayat may,—

(a) direct that the building, alteration or addition be stopped; or

(b) by written notice require within a reasonable period to be specified therein, such building alteration or addition to be altered or demolished.

(4) In the event of non-compliance with terms of any notice under clause (b) of sub-section (3) within the period specified in the notice, it shall be lawful for the Panchayat to take such action as may be necessary for the completion of the act thereby required to be done, and all the expenses therein incurred by the Panchayat shall be paid by the person or persons upon whom the notice was served and shall be recoverable as if it were a tax imposed under this Act.

(6) Notwithstanding anything contained in the foregoing provisions, the Block Development Officer concerned may, by notice addressed to the person responsible, stop any construction which is being constructed in violation of the provisions of the Act or rules or bye-laws made thereunder and refer the case to the Deputy Director of Panchayat. On receipt of the notice, such person shall forthwith stop the same.

(7) An appeal shall lie to the Director, within a period of thirty days from any order of direction or notice issued under any of the provisions of this section and the decision of the Director on such appeal shall be final.

Explanation:— For the purpose of this section, failure to communicate the decision by the Panchayat under sub-section (2) and failure to demolish the building under sub-sections (3) and (4) shall be deemed to be 'remiss' in the performance of duties by the Panchayat.

119. *Delimitation of territorial constituencies.*— The Government shall, by notification,—

(a) divide the area within the jurisdiction of North Goa Zilla Panchayat and South Goa Zilla Panchayat into 25 and 25 single member territorial constituencies respectively, for the purpose of election, to such Zilla Panchayat.

(b) determine the territorial constituencies or constituencies in which seats are reserved for the Scheduled Castes, Scheduled Tribes, Backward Classes and Women.

153. *Levy of taxes, rates etc. by Panchayat.*— (1) Every Panchayat shall, in such manner and subject to such exemptions as may be prescribed and not exceeding the maximum rate specified in Schedule – III, levy tax upon building and lands which are not subject to agricultural assessment, within the limits of the Panchayat area and shall revise rate of such tax once in every three years by minimum increase of 10% thereon:

Provided that where an owner of the building or land has left the Panchayat area or cannot otherwise be found, the occupier of such building or land shall be liable for the tax leviable on such owner.

(2) A Panchayat may levy water rate for supply of water for drinking and other purposes.

(3) A Panchayat may also levy all or any of the following tax and fees at such rates as the Panchayat shall determine but not exceeding the maximum specified in Schedule III and in such manner and subject to such exemptions as may be prescribed, namely:—

(a) tax on entertainment other than cinematograph shows;

(b) tax on vehicles, other than motor vehicles;

(c) tax on advertisement and hoarding;

(d) pilgrim fee on persons attending the jatras, festivals, etc., where necessary arrangement for

water supply, health and sanitation are made by the Panchayat;

(e) market fee on persons who expose their goods for sale in any market place;

(f) fee on the registration of cattle brought for sale in any market place;

(g) fee on buses and taxies and auto-stands provided adequate facilities are provided for the travellers by the Panchayat;

(h) fees on grazing cattle in the grazing lands;

(i) lighting tax;

(j) drainage tax;

(k) tax on profession, trades, calling and employment;

(l) fees for sale of goods in melas, fairs and festivals;

(m) garbage disposal tax;

(n) octroi other than on petroleum products.

LA/LEGN/2021/857

The following bill which was introduced in the Legislative Assembly of the State of Goa on 29th July, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Agricultural Tenancy (Amendment) Bill, 2021

(Bill No. 38 of 2021)

A

BILL

further to amend the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Agricultural Tenancy (Amendment) Act, 2021.

(2) It shall come into force at once.

2. *Amendment of long title.*— In the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act No. 7 of 1964) (hereinafter referred to as the "principal Act"), in the long title, for the expression "Union territory of Goa, Daman and Diu", the words "State of Goa" shall be substituted.

3. *Amendment of section 1.*— In section 1 of the principal Act,—

(i) in sub-section (1), the expression ", Daman and Diu" shall be omitted;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2), It shall extend to the whole of the State of Goa".

4. *Amendment of section 2.*— In section 2 of the principal Act,—

(i) in clause (8), the expression ", Daman and Diu" shall be omitted;

(ii) in clause (17), for the expression "Goa, Daman and Diu Government Gazette", the words "Official Gazette of the Government of Goa" shall be substituted.

5. *Amendment of section 18J.*— In section 18J of the principal Act, in sub-section (2), in clause (ii), for sub-clause (d), the following sub-clause shall be substituted, namely:—

"(d) a co-operative farming society registered as such under the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).".

6. *Amendment of section 26.*— In section 26 of the principal Act, in sub-section (3), for the first proviso, the following proviso shall be substituted, namely:—

"Provided, however, that in the case of repairs to breaches in bunds which may be specified by Government as protective bunds, the Government shall, on such conditions and in such manner as may be

prescribed, contribute such sum, as decided by the Government from time to time, towards the cost of such repairs."

7. *Repeal and Savings.*— (1) The Goa Agricultural Tenancy (Amendment) Ordinance, 2021 (Ordinance No. 2 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Statement of Objects and Reasons

The Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964) (hereinafter referred to as the "said Act") was enacted by the Legislative Assembly of Goa, Daman and Diu when Goa was part of the Union Territory of Goa, Daman and Diu. After enactment of the Goa, Daman and Diu Reorganisation Act, 1987 (Central Act 18 of 1987), the new State of Goa as also the new Union Territory of Daman and Diu were framed. After Goa attained Statehood, the said Act remained in force and it is now proposed to omit the expressions "Daman and Diu" and "Union territory" from the said Act.

For section 26 of the principal Act, in sub-section (3), for the first proviso, the following proviso is substituted, namely:—

"Provided, however, that in the case of repairs to breaches in bunds which may be specified by Government as protective bunds, the Government shall, on such conditions and in such manner as may be prescribed, contribute such sum, as decided by the Government from time to time, towards the cost of such repairs."

The objective to carry out Goa Agricultural Tenancy (Amendment) Ordinance, 2021 (Ordinance No. 2 of 2021) was mainly due to the repairs to breaches in bunds which are specified as protective bunds by the Government and to decide on the contribution of such sum by the Government towards the cost of such repairs.

The Bill also seeks to repeal the Goa Agricultural Tenancy (Amendment) Ordinance, 2021 (Ordinance No. 2 of 2021) promulgated by the Governor of Goa on 20-06-2021.

This Bill seeks to achieve the above object.

Financial Memorandum

Clause 6 of the present Bill gives discretionary powers to the Government to contribute any amount of share for development of bunds. The proposal therefore involves huge financial implication which cannot be quantified at this stage.

Memorandum Regarding Delegated Legislation

Clause 6 of the bill empowers the Government to specify repairs to breaches in bunds as protective bunds by Notification in the Official Gazette and frame rules for prescribing conditions and the manner for making contribution of sum towards the cost of repairs of such protective bunds. Clause 6 of the Bill also empowers the Government to decide a sum to be contributed towards the cost of repairs of protective bunds.

Porvorim, Goa, 27th July, 2021. SMT. JENNIFER MONSERRATE
Minister for Revenue

Assembly Hall, (NAMRATA ULMAN)
Porvorim – Goa. Secretary to the
27th July, 2021. Legislative Assembly of Goa

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Shri P. S. Sreedharan Pillai, Governor of Goa, hereby recommend the introduction and consideration of the Bill namely the "The Goa Agricultural Tenancy (Amendment) Bill, 2021" by the Legislative Assembly, Goa.

Place: Raj Bhavan P. S. SREEDHARAN PILLAI
Dona Paula, Goa Governor of Goa
Date:- 27th July, 2021.

Extracts of Sections-1 Sub-section (1) & (2),
Section-2 Clause- (8) & (17), Section-18J
Sub-section- (2) Clause- (ii) Sub Clause-(d),
Section-26 Sub-section (3) of Goa, Daman and
Diu Agricultural Tenancy Act, 1964

GOVERNMENT OF GOA, DAMAN AND DIU

THE GOA, DAMAN AND DIU AGRICULTURAL TENANCY ACT, 1964 (Act No. 7 of 1964) [16th December, 1964]

An Act to provide for the regulation of the terms of tenancy with respect to agricultural lands in the Union Territory of Goa, Daman and Diu and for matters connected therewith.

1. *Short title, extent and commencement.*— (1) This Act may be called the Goa, Daman and Diu Agricultural Tenancy Act, 1964. (2) It extends in the first instance to the Goa area of the Union Territory of Goa, Daman and Diu, but the Government may, by notification, extend it to the other areas with such modifications as may be necessary.

2. *Definitions.*— In this Act, unless there is anything repugnant to the subject or context.

(1-A) "agriculture" includes horticulture and raising of food crops grass or garden produce, but does not include allied pursuits;]

(2) "agriculturist" means a person who cultivates land personally;

(3) "allied pursuits" means rearing or maintaining plough bulls, breeding of livestock, dairy farming, poultry farming, grazing on grounds reserved for the purpose and such other pursuits connected with agriculture as may be prescribed;

1. 8th February, 1965, vide Notification No. TNC/NTF-1/65 dated 3rd February, 1965 published in the Official Gazette, Series I No. 5 dated 5-2-1965.

2 Clause (1) was inserted by the Goa, Daman & Diu Agricultural Tenancy (Amendment) Act, 1968 (Act No. 13 of 1968) However same has been omitted by the Amendment Act No. 19 of 2014. Omitted provision read as follows : [(1) Administrative Tribunal means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act No. 6 of 1965).

3 Re-numbered by the Goa, Daman & Diu Agricultural Tenancy (Amendment) Act, 1968 (Act No. 13 of 1968) thereafter existing clause

substituted by the Goa, Daman & Diu Agricultural Tenancy (Amendment) Act, 1976 (Act No. 17 of 1976) substituted provision read as follows :- «agriculture» with its grammatical variations and cognate expressions, includes the raising of food crops like paddy, wheat, pulses, millets and vegetables and of sugar cane and ground nut but, save as otherwise expressly provided by or under sub-section (1) of section 3, does not include the raising of produce from fruit bearing trees including cocoanut, areca nut, cashew, or mango;

(4) "Collector", means any person appointed by the Government to perform the functions of the Collector under this Act;

(5) "Co-operative Society" means a society registered under the provisions of any law relating to co-operative societies for the time being in force in the particular area;

[(5A) "Court of Senior Civil Judge" includes the Court of Junior Civil Judge;]

(6) "to cultivate" with its grammatical variations, and cognate expressions, means to till or husband land for the purpose of raising or improving agricultural produce, whether by manual labour or machinery, or to carry on any agricultural operation thereon; and the expression "uncultivated" shall be construed correspondingly;

(7) "to cultivate personally" means to cultivate land on one's own account —

(i) by one's own labour, or

(ii) by the labour of any member of one's family, or

(iii) under the personal supervision of oneself or any member of one's family, by hired labour or by servants on wages payable in cash or kind but not in crop share;

Explanation 1.— For the purpose of clause (iii) personal supervision shall not be deemed to exist unless the person or member resides in the village in which land is situated or in any nearby village within 7 kilometers thereof, during the major part of an agricultural season.

Explanation 2.— A widow or a minor or a person who is subject to physical or mental disability or a serving member of the Defence Forces shall, notwithstanding anything contained in Explanation 1, be deemed to cultivate any land personally if such land is cultivated by servants or by hired labour or through tenants.

Explanation 3.— Notwithstanding anything as aforesaid, in the case of a joint family, land shall be deemed to be cultivated personally, if it is so cultivated by any member of such family otherwise than by virtue of Explanation 2.

Explanation 4.— In the case of a company, association or other body of individuals, whether incorporated or not, or a religious, charitable or other institution capable of holding property, any land shall be deemed to be cultivated personally, if such land is cultivated by hired labour or by servants under the personal supervision of an employee or agent of such company, association, body or institution;

[(7A) "garden" means land used primarily for growing coconut trees, areca nut trees, cashew nut trees or mango trees;

(7B) "garden produce" means any produce from a garden;]

(8) "Government" means the Government of Goa, Daman and Diu.

(9) "improvement", means, with reference to any land, any work which adds to the value of the land, and which is suitable thereto as also consistent with the purpose for which it is held, and includes—

(a) the construction of tanks, wells, water channels, embankments and other works for storage, supply or distribution of water for agricultural purposes;

4 Inserted by the Amendment Act (19 of 2014).

5 Clauses 7A & 7B inserted by the Goa, Daman & Diu Agricultural Tenancy (Amendment) Act, 1976 (Act No. 17 of 1976).

(b) the construction of works for the drainage of land or for the protection of land from floods or from erosion or other damage from water;

(c) the reclaiming, clearing, enclosing, levelling or terracing of land;

(d) the erection of buildings on the land reasonably required for the convenient or profitable use of such land for agricultural purpose; and

(e) the renewal or reconstruction of any of the foregoing works or alterations therein or additions thereto as are not of the nature of ordinary repairs; but does not include such clearance, embankment, leveling, enclosures, temporary wells, water channels and other

works as are commonly made by the tenants in the ordinary course of agriculture;

(10) "joint family" means an undivided Hindu family for a group or unit of persons the members of which are, by custom, joint in estate or residence;

(11) 6 [(i) "land" means land which is used for agriculture or which is capable of being so used, but is left fallow, and includes farm buildings appurtenant to such land;

Provided that nothing in this clause shall apply to land which is in the possession of a Mundkar, otherwise than as a tenant.

Explanation.- For the purposes of this clause, the expression "Mundkar" shall have the meaning assigned to it in clause (p) of section 2 of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (1 of 1976);]

(ii) "Khajan land" means low land situated near creeks or riversides;

(iii) "Ker land" means land having adequate irrigation or drainage facilities;

(iv) "Morod land" means any other land:

Provided that in case of doubt as to the category of any particular land, the matter shall be referred to the Tribunal whose decision shall be final;

(12) "landlord" means a person from whom a tenant holds land on lease;

(13) "lease" means a transfer of a right to enjoy land, made orally or in writing, for a specified, or unspecified period, and in consideration of rent;

(14) "legal representative" means a person who represents the state of a deceased person;

(15) "Mamlatdar" means any person appointed by the Government to perform the duties of a Mamlatdar under this Act and includes a Joint Mamlatdar;]

(16) "notification" means notification published in the Official Gazette;

(17) "Official Gazette" means the Goa, Daman and Diu Government Gazette;

1. Section 18J. Power of 96[Court of Senior Civil Judge] to resume and dispose of land not purchased by the tenant.

Section (2) The 98[Court of Senior Civil Judge] shall make an order directing that the land or part thereof referred to in sub-section (1) shall be disposed of by sale to any person in the following order of priority.

Clause (ii) the land remaining after disposal in the manner provided in clause (i) shall be disposed of by sale in the following order of priority, namely:—

Sub-clause (d) a co-operative farming society registered as such under the Maharashtra Cooperative Societies Act, 1960, as in force in the Union Territory of Goa, Daman & Diu.

2. Section 26. Liability for cost cultivation, tax, works etc.—

Section (3) In the case of Khajan and Kher lands the duty and responsibility of carrying out works of maintenance, repair and conservancy of banks, bunds or ridges of tanks or rivers or other sources of irrigation shall be that of the tenant and the landlord shall not be liable to make any contribution to the cost of such works

First proviso [Provided, however, that in the case of repairs to breaches in bunds which may be specified by Government as protective bunds, Government shall, on such conditions and in such manner as may be prescribed, contribute a sum not exceeding 50% of the cost of such repairs.

LA/LEGN/2021/860

The following bill which was introduced in the Legislative Assembly of the State of Goa on 29th July, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Bhumiputra Adhikarini
Bill, 2021

(Bill No. 49 of 2021)

A

BILL

to provide for a mechanism to give ownership rights to the self-occupied dwelling units.

BE it enacted by the Legislative Assembly of Goa in the Seventy-Second Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—
(1) This Act may be called the Goa Bhumiputra Adhikarini Act, 2021.

(2) It shall extend to the whole of the State of Goa.

(3) It shall come into force at once.

2. *Definitions.*— (1) In this Act, unless the context otherwise requires,—

(a) “Bhumiputra” means a person who is residing in the State of Goa at least for a period of thirty years before the date of making application under section 5; and in occupation of a dwelling unit and includes his or her spouse, son, daughter in law and unmarried daughter;

(b) “Bhumiputra Adhikarini” means a committee constituted under section 3 of this Act.

(c) “dwelling unit” means a permanent structure having plinth area not exceeding 250 Square Meters which has been constructed or in existence before the first day of April 2019 and assessed for the house tax by the local authority and has water and electricity connection;

(d) “local authority” means Village Panchayat, a Municipal Council or a Municipal Corporation;

(e) “land” means the land on which the dwelling unit is situated;

(f) “market rate” means the minimum rate of land prescribed under the Goa Stamp (Determination of True Value of Property) Rules, 2003;

(g) “prescribed” means prescribed by the rule made under this Act;

3. *Constitution of “Bhumiputra Adhikarini”.*— The Government may by notification in the Official Gazette, constitute a committee consisting of Deputy Collector as its Chairperson and other members namely Official from Town and Country Planning Department, Forest Department, Environment Department and Mamlatdar of Respective Taluka to be called “Bhumiputra Adhikarini” to exercise the power conferred on and to perform the functions assigned to it under this Act.

4. *Protection of rights of Bhumiputra.*— (1) Notwithstanding anything contained in any other state law, decree, order, custom, usage, contract or any instrument having force of law, the Bhumiputra Adhikarini may by an order declare a Bhumiputra to be the owner of the dwelling unit occupied by him upon payment of an amount equivalent to the value of land calculated at the market rate and such other amounts as specified in section 6 to the Government.

(2) where the land is not owned by the Government the amount received under sub-section (1) shall be transferred to the owner of such land;

Provided that, if any question arises as to whom such amount is payable, the same shall be deposited in a Government treasury and paid to such persons as may be decided by the competent court of law.

(3) Bhumiputra shall not be evicted from the dwelling unit occupied by him and the dwelling unit shall not demolished during the pendency of any proceedings under this Act, save by the direction of the competent court of law.

5. *Form of Application etc.*— Within a period of six months from the date of commencement of this Act, Bhumiputra may apply to the Bhumiputra Adhikarini in such manner and in such form as prescribed along with such documents as prescribed to prove that the dwelling unit has been constructed or in existence prior to the 1st day of April, 2019.

6. *Functions of Bhumiputra Adhikarini.*— (1) After receipt of application under section 5, the Bhumiputra Adhikarini shall publish a public notice in such form and inviting interested persons to submit in such manner as prescribed, objections, to the proposal contained in such public notice within a period of thirty days;

Provided that such notice shall also be issued to the owner of land where such land is not owned by the Government.

(2) The objections if any received in respect of the proposal contained in public notice shall be decided by the Bhumiputra Adhikarini.

(3) The Bhumiputra Adhikarini shall consider only such objections which pertains to the ownership or time of the construction of dwelling unit or occupation of such dwelling unit by the Bhumiputra.

(4) after consideration of objections, if any, the Bhumiputra Adhikarini shall pass an order, as deemed fit by it deciding the value of the land under sub-section (1) of section 4 and the charges/fees to be paid by the applicant under various law including conversion charges, infrastructure tax, except penalty and convey his decision to the applicant, along with the challan for making payment as aforesaid.

(5) After receipt of the amount specified in sub-section 4, the Bhumiputra Adhikarini shall issue an Ownership Sanad to the applicant in such form as prescribed.

(6) Mamlatdar having the jurisdiction shall make an entry in the Record of rights, based on the Ownership Sanad granted by Bhumiputra Adhikarini under sub-section (5) without any further notice or any proceedings.

7. *Appeal*.— Any person aggrieved by the decision of the Bhumiputra Adhikarini may prefer an appeal before the Administrative Tribunal within a period of 30 days from the date of such decision and the order passed by the Administrative Tribunal shall be final and binding.

8. *Power to make rules*.— The Government may, by notification in the Official Gazette make rules for carrying out the provision of this Act.

9. *Power to remove the difficulties*.— If any difficulty arise in giving effect to the provision if this Act, the Government may, by order published in the Official Gazette, not inconsistent with the provision of this Act, as may appear to it to be necessary or expedient, for the purpose of removing the difficulties;

Provide that no such order shall be made after the expiry of the period of two year from the date of commencement of this Act.

10. *Protection of action taken in good faith*.— No suit, prosecution or any other legal proceedings shall lie against the Government or any officer or employee of the Government or any person authorised by the Government or Bhumiputra Adhikarini or its members for anything which is done, or intended to be done, in a good faith under this Act.

11. *Overriding effect*.— The provision of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other state law for the time being in force.

12. *Bar of Jurisdiction*.— No Court shall have jurisdiction to entertain, decide or deal with any question which is to be decided by the Bhumiputra Adhikarini and Administrative Tribunal under this Act.

Statement of Objects and Reasons

The Bill provides for a mechanism to give ownership right to the self-occupied dweller of a small housing unit to enable him to live with dignity and self-respect and exercise his right to life.

Financial Memorandum

Financial implications cannot be ascertained at this stage.

Memorandum Regarding Delegated Legislation

Clause 3 of the Bill provides for appointment of a committee by way of notification in the official gazette. Clause 8 of the Bill seeks to empower the Government to frame rules.

These delegations are of normal character.

Porvorim, Goa. SMT. JENNIFER MONSERRATE
29th July, 2021. Minister for Revenue
Government of Goa.

Assembly Hall, NAMRATA ULMAN
Porvorim, Goa Secretary
29th July, 2021 Goa Legislative Assembly.

Department of New & Renewable
Energy (NRE)

Notification

1-2/Admin/NRE/21-22/118

The following revised scheme is approved by the Government and is hereby published for general information of the public.

**"REVISED SCHEME FOR PROMOTION OF
GRID CONNECTED SOLAR ROOFTOP
SYSTEM WITH NET METERING 2021-22"**

Preamble.— In the major initiative, Government of India under the National Solar Mission has set a target of one lac MW power generation through solar energy in the country by 2022, including 40,000 MW to be contributed through solar rooftops in various sectors.

In order to achieve this magnitude of capacity, the Ministry of New and Renewable Energy (MNRE), Government of India has notified Phase-II Solar Roof Top Scheme in which State of Goa has been allotted 80 MW capacity of solar Energy by 2022.

Installation of rooftop solar plant on a large scale is one of the best initiatives, as in such plants, there is no requirements of land, energy is consumed where it is generated; there would be no element of transmission loss or wheeling loss and such plants would be in interest of public at large as well as State utilities. Therefore, with a view to promote large scale rooftop solar systems on private residential roofs-terraces, the Government vide its Notification in Official Gazette, Series I No. 19 dated 6th August, 2020 referred above had introduced a subsidy scheme for solar rooftops in residential sector and commercial sector. As a result of this subsidy scheme, over 100 households have taken the benefits of the subsidy scheme under which an aggregate capacity of appx. 1 MW of solar rooftops in residential and commercial sector have been commissioned.

To give further boost for promotion of solar rooftops in the State for residential sector, it

was under the consideration of the Government to rationalize the subsidy scheme to increase the scope for the benefits of the masses including implementation strategy.

From the date of issue of this notification of this "Revised scheme for promotion of grid connected solar rooftop system with NET metering-2021-22", the provisional approval issued by the Department of Electricity, Government of Goa will not be considered for registering any claim of State subsidy as per the notified scheme in Official Gazette, Series I No.19 dated 6th August, 2020. However, in those cases where the Department of Electricity has issued provisional approvals prior to the date of issue of this notification and installation, commissioning and grid synchronisation completed on or before 31-12-2021 the subsidy shall be disbursed to the beneficiaries as per notified scheme in Official Gazette, Series I No. 19 dated 6th August, 2020.

1. *Short title and commencement.*— (i) This scheme may be called as "Revised Scheme for promotion of Grid Connected Solar Rooftop systems with Net metering 2021-22".

(ii) Government of Goa had notified the "Scheme for Promotion of Grid Connected Solar Rooftop System with NET Metering System" vide Series I No. 19 dated 6th August, 2020, with financial capping of 2.00 crores on first cum first serve basis.

(iii) This scheme proposes to substitute the scheme of 6th August, 2020 taking into consideration the Phase II - of Grid connected Rooftop Solar Programme of Ministry of New and Renewable Energy(MNRE) Government of Goa and the guidelines issued by MNRE vide No. 318/331/2017-Grid connected Rooftop dated 20th August, 2019.

(iv) Upon the issue of notification of this "Revised scheme for promotion of grid connected solar rooftop system with NET metering-2021-22", the provisional approvals issued by Department of Electricity, Government of Goa will not be considered for registering any claim of State subsidy

under the notified scheme in Official Gazette, Series I No. 19 dated 6th August, 2020.

(v) However, provisional approvals granted/issued prior to the issue of this notification and installation, commissioning and grid synchronization completed on or before 31-12-2021 the subsidy shall be disbursed to the beneficiaries as per notified scheme in Official Gazette, Series I No. 19 dated 6th August, 2020.

(vi) This scheme shall come into force from the date of notification in the Official Gazette.

(vii) The scheme shall be implemented through Goa Energy Development Agency (GEDA).

2. *Introduction to the scheme.*— (i) The Government of India has set the target of achieving 100GW of solar power capacity in the country by 2020 of which 40GW to be achieved from rooftop solar (RTS).

(ii) The Ministry of New and Renewable Energy (MNRE), Government of India has notified Phase-II Solar Roof Top Scheme and has issued guidelines in which State of Goa has been allotted 80 MW capacity of solar Energy by 2022.

(iii) Government of Goa has launched the scheme for promoting Solar Photovoltaic Rooftop Grid Connected systems to complete the target by 2022 and fulfill the goal of the Government of India.

(iv) This scheme is therefore formulated in order to promote Grid Connected Solar Rooftop systems with Net Metering System in the State.

3. *Objectives of the scheme.*— This scheme is formulated with the objectives:— (a) To promote Grid Connected Solar Rooftop Installations as per operational guidelines for implementation of Phase II of Grid Connected Rooftop Solar Programme issued by Ministry of New and Renewable Energy (MNRE), Government of India vide No. 318/331/2017-Grid Connected Rooftop dated 20th August, 2019 and its amendments from time to time.

(b) To provide additional Financial Assistance for promotion of Solar Rooftop Installations from State share to the Prosumers having electrical sanction load above 1 KW upto 90KW (restricted to LT consumers only) and fulfill the target of the State of Goa set by Government of India by 2022.

4. *Scope of the scheme.*— (i) The main scope of this scheme is to promote & popularize Grid connected Solar Rooftop System in all consumer segments viz. residential, institutional, social, Government, commercial, industrial etc.

(ii) To provide financial assistance for residential, institutional, educational, commercial and industrial sectors.

5. *Subsidy.*— (i) The Central Financial Assistance for the residential sector under this scheme shall be provided as per operational guidelines for implementation of Phase II of Grid Connected Rooftop Solar Programme issued by Ministry of New and Renewable Energy (MNRE), Government of India vide No. 318/331/2017-Grid Connected Rooftop dated 20th August, 2019.

The beneficiary will have to install solar rooftop systems only through empanelled vendor (empanelled as per the guidelines of Phase-II of Solar rooftop programme of MNRE, GOI by GEDA) at the net of CFA amount i.e. making payment to the vendors after deducting the eligible CFA amount as per MNRE.

(ii) The State Financial Assistance for the Installation of Grid Connected Solar Rooftop system with Net Metering shall be restricted to LT level i.e. 1kW up to 90 kW connections only.

(iii) The State Government shall provide subsidy restricting to 30% for the prosumers of Residential, Group Housing Societies/ Residential Welfare Associations, upto LT level i.e. having solar plants upto 90kW size, on the capital cost or the benchmark cost provided by MNRE or cost arrived through tendering process by GEDA whichever is lower where installations are carried out

through empanelled agencies shortlisted under the Phase-II of solar rooftop programme of MNRE, GOI.

Subsidy incentives:-

A. Residential: All consumers of Department of Electricity in the State having service connection under residential category.

Capacity	Central	State subsidy
1KW - 3KW	40%	10%
3KW- 10KW	20%	30%
above 10KW	Nil	50%

B. For Group Housing Societies/Residential Welfare Associations (GHS/RWA)

Capacity	Central subsidy	State subsidy
10 kWp per house and total not more than 500 kWp	20%	30%

C. For Educational Institutions, Commercial and Industrial Establishments.

The State Government shall provide subsidy restricting to 20% for the prosumers of Educational Institutions (non profit making), Commercial/industrial establishments upto LT level i.e. having solar plants upto 90kW size, on the capital cost or the benchmark cost provided by MNRE or cost arrived through tendering process by GEDA whichever is lower which are installed through empanelled agencies with GEDA as well as agencies empanelled by GEDA under Phase II-Solar Rooftop Scheme of MNRE.

Capacity	Central subsidy	State subsidy
1-90 KW	Nil	20%

5. *Eligibility for availing benefits under the scheme.*— (i) All the buildings/Houses/Educational Institutions/Industrial/commercial establishments which are registered with Panchayat or Municipality

having permanent Electricity connections are eligible for subsidy under the scheme.

(ii) Benefit under this scheme shall be disbursed on first come first serve bases.

(iii) The installations eligible for subsidy on bench mark cost of MNRE or as per the derived cost by GEDA whichever is lower.

6. *Quantum of financial subsidy under the Scheme.*— (i) The total amount of Financial Assistance shall be restricted to Rs. 4.00 crores only on first come first serve bases.

(ii) Government reserves the right to stop future grants and also modify the financial quantum, so also the conditions of the scheme, depending upon the budgetary provisions made.

(iii) Government also reserves the right to sanction the grant to the GEDA as well as to hold the scheme in abeyance or suspend or cancel the scheme, at any point of time and no claim or appeal or challenge shall lie with any authority or tribunal or court, in respect of this decision of the Government.

7. *Pattern of Assistance of the Scheme.*—

(i) "The GEDA shall be entitled to Government grants based on the estimate approved by the Government in the Budget Estimate during that financial year" for the scheme and will be sanctioned as per the terms and conditions laid by the Government.

(ii) The GEDA shall promote the installation of Grid Connected Solar Rooftop Installations with Net metering system to all the Prosumer's by following the needful formalities.

(iii) The State Financial Assistance in the form of subsidy shall be released upon completion of six months of solar power being injected into the grid.

(iv) The entire amount of the grants should be utilized upto July 2022 for the purpose of which it is sanctioned. Any portion of the grant, which is not ultimately required, will be refunded to the Government. After 'utilizing/refunding' the above sanctioned

amount, an utilization certificate should be furnished to the sanctioning authority as required under Form GFR – 19A.

(v) The account of the Grantee in respect of this grant should be audited by the Government approved Auditor/Chartered Accountant concerned immediately after the end of the financial year on completion of six months for which the grant is sanctioned. The account of the grants shall be maintained separately and properly from its normal activities and submitted as and when required. They shall be open to a test check by the Controller and Auditor General of India at his discretion.

(vi) The Audited statement of accounts showing the expenditure incurred by the Grantee from the grants should be furnished to the Government as soon as possible after the close of the financial year on completion of six months for which the grant is sanctioned together with a certificate from the Auditor to the effect that the grant was utilized for the purpose for which was sanctioned.

(vii) The performance-cum-achievement report specifying in detail the achievements made by the Grantee with the Government Grants/amount sanctioned should be furnished to Concerned Department as soon as possible.

(viii) The Audited statement of accounts showing the expenditure incurred by the Grantee from the grants should be furnished to the Government as soon as possible after the close of the financial year or on completion of six months for which the grant is sanctioned together with a certificate from the Auditor to the effect that the grants was utilized for the purpose for which it was sanctioned.

(ix) A performance-cum-achievement report specifying in detail the achievements made by the Grantee with the Government grants/amount sanctioned should be furnished to the Department of Non-Conventional Sources of Energy annually.

(x) The Grantee Institution must exercise reasonable economy, observe all financial proprietary and the financial rules as issued by the Government from time to time while incurring the expenditure.

(xi) In case of miss-utilization of grants, the amount so miss-utilized shall be recovered from the Grantee Institution.

(xii) The amount remaining unspent out of this grant shall be refunded back to the Government Treasury by challan within 03 (three) months from the close of financial year.

8. *Relaxation of the provisions of the scheme.*— The Government shall be empowered to relax any or all of the clauses or conditions of this scheme in genuine case(s) for sanction of the grant.

9. *Interpretation of the provisions of this scheme.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision about the interpretation shall lie with the Government, which shall be final and binding on all concerned.

10. *Redressal of grievances and dispute.*— Grievances or disputes if any, arising out of implementation of this scheme, shall be referred to the Secretary, NCES to Government who shall hear and decide such matters and the decision of the Secretary to the Government in this regard shall be final and binding on all concerned.

Provided no grievance or dispute regarding the decision of the Government under clause 6 (v) above shall lie with any authority or tribunal or court, in respect of the decision.

11. This scheme has been issued with the concurrence of the Finance (Exp.) Department vide their U.O. No. 5712 dated 24-09-2021.

By order and in the name of Governor of Goa.

Aleixo F. da Costa, Director (NCSE)/ex officio, Jt. Secretary.

Panaji, 5th October, 2021.

Department of Public Health

Order

5/30/2018-IV/PHD/1815

Read:- Letter No. 5/30/2018-IV/PHD/3507 dated 06-11-2020.

Whereas, the fees revised for MDS Courses in Goa Dental College and Hospital vide above referred letter are again revised and reduced retrospectively w.e.f. 06-11-2020 on par with MD/MS courses at Goa Medical College as under:

	Existing per semester	Revised per semester
Tuition fees	Rs. 1,00,000/-	Rs. 48,000/-
Library (Refundable one time)	Rs. 5,000/-	Rs. 1,000/- (fixed)
Admission fee (one time)	Rs. 15,000/-	Rs. 1,000/- (fixed)
Hostel Deposit (one time)	---	Rs. 2,000/- (fixed)

The excess fees paid to the students shall be refunded or adjusted in future payments due, if any.

Further, Government has decided that henceforth, every Academic Year, the tuition fees for all Courses at Goa Medical College & Hospital; Goa Dental College and Hospital shall stand revised by 5% automatically every year, till the Government considers further revision.

The above proposal has been seen by Finance (Rev. & Cont.) Department stating that the matter was administrative in nature vide their U.O. No. 1400074707/F dated 03-09-2021.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 29th September, 2021.

Corrigendum

4/2/2012-II/PHD/1828

Read:- Order No. 4/2/2012-II/PHD/1697 dated 8-09-2021.

In the Government order read at preamble the word appearing as "Audiology" shall be substituted to read as "Audiologist".

Rest of the content remains unchanged.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).

Porvorim, 30th September, 2021.



Department of Revenue

Notification

22/21/2008-RD(Part III)/8670

In exercise of the powers conferred by sub-sections (1) and (2) of section 5 of the Goa Compensation to the Project Affected Persons and Vesting of Land in the Government Act, 2017 (Goa Act 16 of 2017), the Government of Goa hereby establishes the Project Affected Persons Disputes Redressal Authority consisting of the Secretary to the Government of Goa in Revenue Department.

This notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 29th September, 2021.

Notification

35/4/2017-RD/8674

In exercise of the powers conferred by section 75 read with clause (b) of sub-section (1) of section 10 of the Indian Stamp Act, 1899 (Act 2 of 1899), as in force in the State of Goa, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Payment of Duty by e-challan Payment Facility Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Indian Stamp Act, 1899 (Act 2 of 1899), as in force in the State of Goa;

(b) "duty" means the stamp duty payable on the instruments under the Act;

(c) "e-challan payment facility" means the online payment facility of the Directorate of Accounts of the Government as available on the portal of the Registration of Government;

(d) "e-receipt" means an e-receipt generated upon payment of duty by e-challan payment facility;

(e) "Government" mean the Government of Goa;

(f) "Registering Officer" means the Registering Officer under the Registration Act, 1908 (Central Act 16 of 1908), as in force in the State of Goa.

(2) Words and expressions used in these rules but not defined shall have the same meanings respectively assigned to them in the Act.

3. *Payment of duty by e-challan payment facility.*— (1) All duties payable on the

instruments registered before the Registering Officer through the National Generic Document Registration System may be paid by an e-challan payment facility and a printed copy of the e-receipt generated upon such payment shall be pasted on the first page of the instrument presented to the Registering Officer at the time of registration of such instrument.

(2) When an instrument along with the printed copy of the e-receipt pasted on it is presented to the Registering Officer under sub-rule (1), the Registering Officer shall, before he proceeds to register such instrument, verify the authenticity and validity of such e-receipt in the records maintained by the Directorate of Accounts and confirm that whole of the duty specified therein has been duly paid.

(3) The Registering Officer shall, after verification of the authenticity and validity of such e-receipt and confirmation of the payment of duty under sub-rule (2), cancel e-receipt in such records maintained by the Directorate of Accounts and also put his remark in such records about the instrument in respect of which such duty has been paid, and make an endorsement on the instrument to the following effect, so that such e-receipt cannot be used again, namely:—

"Stamp duty of Rs. (Rupees only) paid vide e-receipt No. dated in the Government Treasury.

Seal of the
Registering Officer

Signature of the
Registering Officer
with date"

By order and in the name of the
Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 28th September, 2021.

Department of Transport

Directorate of Transport

—

Order

D.Tpt/EST/2005/1643/2021/2542

Sanction of the Government is hereby accorded to re-designate the posts of Deputy Director of Transport (Group 'A' Gazetted) in Pay Matrix Level 10 as Additional Director of

Transport in the Directorate of Transport with immediate effect.

This issues with the approval of the Administrative Reforms Department vide Entry No. 530/F dated 10-08-2021.

By order and in the name of the Governor of Goa.

Rajan Satardekar, Director & ex officio Addl. Secretary (Tpt.).

Panaji, 1st October, 2021.

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